

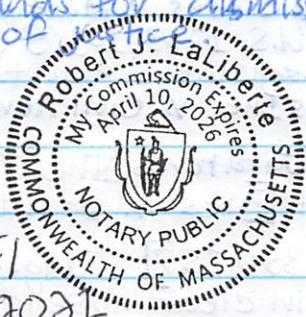
No consent to Admiralty Maritime jurisdiction of District of Columbia
All right reserved

Constitutionality of Case

- ① United States Constitution; Law of the Land; from the convention of 1789 [16 Am J2d Const L Section 11, 18 et. seq.]
- ② Article 6 Paragraph 2 "This Constitution, and the Laws of the United States which shall be made in pursuance thereof," shall be the Supreme Laws of the Land"
- ③ Carter v. Carter Coal Company, 298 U.S. 238, 296 "The framers of the Constitution provided explicitly the Constitution, and the Laws of the United States, which shall be made in pursuance therof, shall be the Supreme Laws of the Land, . . . the supremacy of a Statute enacted by Congress is not absolute, but conditioned on its being made in pursuance of the Constitution."
- ④ Marbury v. Madison, 5 U.S. 2 Cranch 137, 174, 176 "All laws which are repugnant to the Constitution are null and void."
- ⑤ Judicial Contract; the control by a court, the exercise of jurisdiction, to declare Legislative acts, or Executive acts, void and unconstitutional.
- ⑥ Statute Against Common Right, Coral Gables v. Christopher, 108 VT 414, 189, A 147, 109, ALR 474 "A Statute in derogation of a right supported by the common law."
- ⑦ Constitutional Right; A right so guaranteed to a person by the Constitution of the United States, or a State Constitution, and so guaranteed, as to prevent Legislative interference with that right [16 Am J2d Const L Section 328]
- ⑧ Illegal Contract; an agreement contrary to law, in fraud, or in the contravention of the provision of some Statute [17 Am J2d Contr Section 156]
- ⑨ Liberty of Contract; the right to make contracts, and the right to terminate contracts, subject only to civil liability for unwarranted termination. [UCC Section 1-102(3)(y)]
- ⑩ Lawful; According to law. In accord with the spirit of the law, not merely the forms of law [State ex. rel. Van Nice v. Whealey, 5 SD 427, 431, 59 NW 311]

Case number 1:21-cr-10045-ADB, is collusion in violation of Title 18 USC Section 242, because the only subject matter is the exercise of Constitutional right.

Exercise of Constitutional right as subject matter, is obviously grounds for dismissal of charge, and exoneration, miscarriage of justice



July 20, 2021
Pepo H El

The Commonwealth of Massachusetts
On this 20 day of July 2021
before me, the undersigned notary public, Pepo H El,
personally appeared, proved to me through
satisfactory evidence of identification, which were
to be the person who signed the
preceding or attached document in my presence and who swore or
affirmed to me that the contents of the document are truthful and
accurate to the best of his/her knowledge, and belief.
Robert J. LaLiberte, Notary Public
My Commission Expires April 10, 2026

No Consent to Admiralty Maritime jurisdiction

Jurisdiction of Case

- ① Judicial Notice of Foreign Law Act; "Judicial Notice and proof," [45 Calif. L. R. 23, 43] (1957)] → The United States Government, is a Foreign Corporation, with respect to a State reference; Corpus Juris Secundum, Section 1785, Volume 20 → "The United States is located in the District of Columbia" UCC Section 9-307(H)

② → Federal Offense; offenses defined by Congress, and for which Congress prescribes the punishment [21 Am J2d Crim L Section 15.2]

③ → Federal Offense; an offense created by Statute, which is operative only within the District of Columbia [Beard v. Bennett, 72 App DC. 269, 114 F.2d 578]

④ → Caha v. United States 152 US AT 215 "The laws of Congress do not extend into the territorial limits of the States, but have force only in the District of Columbia"

⑤ → District of Columbia, "having an area of 69 square miles, and subject to the power of Congress to exercise exclusive legislation in reference thereto" [Geofroy v. Riggs, 133 U.S. 258, 33 L Ed 642, 10 S Ct 295]

⑥ Congress may grant Admiralty jurisdiction of crimes committed within territorial waters of other nations, if committed on vessels of the United States [United States v. Rodgers, 150 U.S. 349, 24 S Ct 109, 37 L Ed 107]

⑦ Classified to U.S. Supreme Court Digest, Lawyers Edition
Section 531 Federal Admiralty Jurisdiction in Criminal Matters
"The extent of judicial power of the Federal Government to all cases of Admiralty and Maritime jurisdiction, by Article 3 Section 2 of the Federal Constitution, confers on Congress, power to define and punish offenses perpetrated by a citizen of the United States, aboard one of its merchant vessels, lying in navigable waters, within the territorial limits of another Sovereignty"

⑧ Under "Foreign Sovereign Immunities Act", District Court does not have jurisdiction to try case with jury and defendant, instrumentality of Foreign State, to have plaintiff jury demand stricken, is not subject to waiver, even where Statute upon which plaintiff's claims are premised, requires jury trial [Bailey v. Grand Truck Lines New England, 609 F. Supp 48 (D. Vt. 1984)]

⑨ Judges do not possess, Constitutionally mandated immunity from criminal prosecution [Dennis v. Sparks 449 U.S. 34, 101 S Ct 183, 66 L. Ed. 2d 185]

⑩ Federal Judge, charged with crime, does not have Constitutional right, not to be tried in Federal Court, until impeached and convicted by Congress, and active Federal judge can be subject to criminal prosecution, for acts involving exercise of judicial authority [United States v. Hastings 681 F.2d 706 (11th Circuit) 689 F.2d 192 (11th Circuit) 459 U.S. 1203, 103 S Ct 1188, 75 L Ed 2d 434]

⑪ "Courts must make certain that Legislative enactments, is within Constitutional limitations" [United Airlines Inc. v. Civil Aeronautics Bd., 155 F.2d 169, 81 U.S. App DC. 81]

⑫ De Jure Respondent Judges, De Facto Juratores [The Judge decides question of law, the jury decides question of facts] [Iles v. Boulden U.S. 11 Wheat 325, 330, 6 L Ed 447, 6 H 153]

⑬ [Stump v. Sparkman 435 U.S. 349, 356, 357] "Judges only subject to liability only when he/she acted in clear absence of jurisdiction"

Special Appearance [§ Am J2d Appear Section 3]

Sui Juris, In Propria Persona 1:21-cr-10045-ADB

- Title 18 USC Section 922(g)(1) Felon in Possession of gun and ammunition
- Felon [§ 9A Am J Rev ed Ins Section 1173] One who has been convicted of a felony, and whose disabilities arising from such conviction, have been removed
- Title 15 USC Section 7901 (Protection of Lawful Commerce in Arms Act of 2005) (a) Findings; Congress finds the following;
- (1) The Second Amendment, to the United States Constitution protects the rights of individuals including those who are not members of the militia, or engaged in military service, or training; to keep and bear arms.
- (b) Purposes; the purpose of this Act are as follows:
- (2) To preserve a citizens access to a supply of firearms and ammunition, for all lawful purposes, including self-defense
- United States v. Cruikshank, 92 U.S. 542, 23 L. Ed. 588 held that The Second Amendment does not by its own force, apply to anyone other than the Federal Government. The opinion explained, that the right is not a right granted by the Constitution, or in any manner dependant upon that instrument, for its existence. The Second Amendment means no more than that it shall not be infringed by Congress.
- L. Ed. Digest: Constitutional Law Section 925, Search and Seizure, Weapons and Firearms putting all of the textual elements of the operative clause of the Second Amendment together, the United States Supreme Court finds that they guarantee the individual, right to possess and carry weapons in case of confrontation [Scalia JJ, joined by Roberts, ch J and Kennedy, Thomas, and Alito JJ]

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Pepo H El

July 30, 2021



The Commonwealth of Massachusetts
On this 30 day of JULY 2021, before me, the undersigned notary public,
personally appeared, proved to me through Robert J. LaLiberte
satisfactory evidence of identification, which were
preceding or attached document in my presence and who swore or
affirmed to me that the contents of the document are truthful and
accurate to the best of his/her knowledge and belief.
Robert J. LaLiberte, Notary Public
My Commission Expires April 10, 2026

* Title 18 USC Section 242 provides that whoever, under color of law, statute, ordinance, regulation, or custom, willfully deprives subjects any person in any State, Territory, Commonwealth, Possession, or District, to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or Laws of the United States, shall be fined under this Title, or imprisoned not more than one year, or both
(note; Right of Action) multiple defendants

* Imbler v. Pachtman 424 U.S. 409, 96 S Ct 984, 47 L. Ed. 2d 128

"Prosecutors who, while acting within the scope of their duties, in initiating and prosecuting case, willfully deprives accused of his Constitutional rights, is subject to criminal punishment under Title 18 USC Section 242, is also subject to professional discipline or disbarment."

* Statement; the real crime was beginning to sell "right" as a privilege, by licensing gun ownership through creating permission from total strangers and charging a fee to get a license for something of a personal right, and not a privilege of someone else's prudence

- Prior jeopardy; a rule prohibiting a second punishment for the same offense, and as well, a second trial for the same offense [18 Am J2d Crim L Section 165] of American Jurisprudence, relating to the 5th Amendment double jeopardy clause, of the U.S. Constitution

- Title 28 Judicial Code; (Title 28 USC Section 2255)(a) a prisoner in custody under sentence of a court established by Congress, claiming the right to be released upon the ground that the sentence was imposed in violation of the Constitution, or Laws of the United States, or that the Court was without jurisdiction to impose sentence, may move the court which imposed the sentence to vacate, set aside, the sentence. (b) the court cause notice thereof to be served upon the United States Attorneys, grant a prompt hearing,

If the court finds the judgement was rendered jurisdiction, or that there has been such a denial, or infringement of the Constitutional rights of the person/prisoner, as to render the judgement vulnerable to attack, collateral attack, the court shall vacate, and set the judgement aside, and shall discharge the person/prisoner

reference; "Post Conviction Procedure Act" [18 Am J2d Crim Nobis Section 30]

* Statement; try to remember, the only subject matter of all the employment pertinents, is gun ownership, with receipt, opinions, hearsay, non-Affidavit sworn statements, libel and slander, are not admissible to prove crime, subject matter is a right by (Title 18 USC Section 242) there is no other subject matter, court is for the protection of rights, not to waste people to move up the careers schedule

I would have a retroactive right to file criminal charges for civil infringement, also as Title 18 USC Section 873 as Extortion by officers or Employees of the United States, of such rights